IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE G. BIKSHAPATHY**

**and**
**THE HON'BLE MR JUSTICE P.S.NARAYANA**

**WRIT PETITION NO : 1350 of 2005**

Between:

B.Bhadru, S/o.Dasu,
Wankidi Checkpost, Adilabad District.

**..... PETITIONER**

AND

1. State of A.P. rep.by its Secretary to the Government, Transport

Department, Secretariat Buildings, Hyderabad.
2. Commissioner of Transport, Government of A.P., Hyderabad.
3. Regional Transport officer, Manchiryal, Adilabad District.
4. Deputy Transport Commissioner, Karimnagar, Hyderabad.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ more in the nature of writ of certiorari calling for the records pertaining to O.A.No.6299/2003 dated 29th December 2004 and quash the same and consequently set aside the proceedings of the 2nd respondent Transport commissioner, A.P.Hyderabad in his RC.No.11703/V/2003, dated 19-9-2003 and issue such other writ or order or direction as deemed fit and proper in the circumstances of the case.

**Counsel for the Petitioner:MR.CH.SAMSON BABU**

**Counsel for the Respondent No.: GP FOR TRANSPORT**

**The Court made the following :**

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**ORDER:** **(Per the Hon'ble Sri Justice G.Bikshapathy)**

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This writ petition is filed challenging the order dated 29-12-2004 in O.A.No. 6299 of 2003 on the file of the A.P. Administrative Tribunal.

2. The matter relates to suspension of the petitioner. The petitioner was working as Assistant Motor Vehicle Inspector. While so, he was discharging his duties at Wankidi check post the ACB officials conducted a surprise check of the said check post and apprehended one person by name Mr. Y.N.Prasad who is alleged to be collecting bribe on behalf of the petitioner. Thereafter, on the report made by the ACB, the petitioner was suspended. Aggrieved by the order of suspension he filed O.A.No.6299 of 2003. However, the Tribunal disposed of the O.A. directing the respondents to review the case of the applicant. Assailing the said order, the petitioner filed this Writ Petition.

3. The learned counsel for the petitioner makes an attempt to submit that the order of suspension is unsustainable and the Tribunal has not properly considered the facts and the circumstances of the case.

4. Heard the learned Government Pleader appearing for respondents.

s5. We are unable to accept the contention of the learned counsel for the petitioner, inasmuch as the Tribunal directed the petitioner to make a representation pointing out the relevant facts before the authorities for reviewing the order of suspension in terms of G.O.Ms.No. 86 GAD, dated 8-3-1994.

6. In these circumstances, the writ petition is disposed of directing the respondents to dispose of the review, if any filed by the petitioner, within a period of two weeks

from the date of receipt of a copy of this order. Till orders are passed in the review petition, the order of this Court suspending the order of suspension shall continue. If no review is filed by the petitioner within the time prescribed by the Tribunal, the stay stands vacated and the respondents shall pass appropriate orders in accordance with the Rules. No order as to costs.

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G.Bikshapathy, J.

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P.S.Narayana, J.

14th March, 2005.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary to the Government, Transport

Department, Secretariat Buildings, State of A.P. Hyderabad.
2. Commissioner of Transport, Government of A.P., Hyderabad.
3. Regional Transport officer, Manchiryal, Adilabad District.
4. Deputy Transport Commissioner, Karimnagar, Hyderabad.

5. 2 CCs to G.P. for Transport, High Court Buildings, Hyd. (OUT)

6. 2 CD copies

7.1 CC to MR.SAMSON BABU

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**THE HON'BLE MR JUSTICE G. BIKSHAPATHY**

**and**
**THE HON'BLE MR JUSTICE P.S.NARAYANA**

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**14th March, 2005.**